Filed 08/06/2008, Page/1 of full ODINSON, J

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Trustees of the Teamsters Local 456 Pension, Health & Welfare, Annuity, Education & Training, S.U.B., Industry Advancement and Legal Services Funds and the Westchester Teamsters Local Union No. 456,

Index No. 08 CIV 5780 (SCR)

Plaintiffs,

VOLUNTARY NOTICE OF DISMISSAL & ORDER

-and-

JEFF BENVENUTO TRUCKING,

Defendant.

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 41(a)(1)(i) plaintiffs, by the undersigned attorney of record, hereby voluntarily dismiss the above entitled action with prejudice.

Dated: July 9, 2008 Elmsford, New York

> BARNES, IACCARINO, VIRGINIA, AMBINDER & SHEPHERD, PLLC

Karin Arrospide, Esq. (KA9319)

Attorney for Plaintiffs 258 Saw Mill River Road Elmsford, New York 10523

(914) 592-1515

Honorable Stephen C. Robinson, U.S.D.J.